R — Class

AFD 259 FEL 59

App. F. IX—4

Revenue Department
195
(B7)

File No. ~~RD 123 LBH 59~~

Previous References.

Serial Nos.

AVF Dem.
Forest Dept.

Later References.

MYSORE GOVERNMENT SECRETARIAT

Serial Nos.

Part B for

SUBJECT

Land Acquisition — Dharwar

WD 03758—GPB—50,000—10-10-58.

FOR/NOT FOR NOTE BOOK
UNDER SECRETARY

Under Secretary to Govt.

PRESERVED

16.5.59

8.8.60

A
1/4/04

ಸರ್ಕಾರದ ಅಧೀನ ಕಾರ್ಯದರ್ಶಿ,
ಅರಣ್ಯ, ಪರಿಸರ ಮತ್ತು ಜೀವಿಶಾಸ್ತ್ರ ಇಲಾಖೆ,
(ಸರ್ಕಾರಿ)

Serial No.

From

The Dy Commr, Belgaum

1 NO. RB/LAQ SR. III 204 dt 7-5-59

2 The reports of the Collector dated 14-9-1957 & the Dy Commr dated 7-5-1959 may be perused. This is a case of grant of exchange lands in lieu of the lands acquired for the public purpose. It is stated that the estimated value of the area acquired including the solatium at 15% payable to the owner of the lands is Rs 34,500/- of which, 2/3 amount i.e. Rs 23000/- has been received by the Kabjedar. The applicant requests for grant of lands out of S.No. 667/1 of Sattivillage, Athani Taluk for the remaining amount of compensation. It is reported that the total extent of the lands held by the applicant in S.Nos. 667/1 (P13/Remd) & 667/2 is 25 acres & 12 guntas. If 25 acres of lands out of S.No. 667/1 as requested by the applicant will be granted, the total holding of the applicant would be 50 acres & 12 guntas. Both the Collector & the Dy

25 acres

Flag "A"

A-G.
25-12
25-0
50-12

Note.—Contn. Sheet

File No. RD 12 3 LBM 59 of 195 .

Mysore Government Secretariat

Serial No.

Commr. Recommends for disforestment & grant of the extent of 25 acres out of S. No 667/1 in view of Govt. Order No: RD 104 LGS 58 dated 7-1-1959 & 12-2-1959. overlooking subsequent objection of the Forest Deptt. as the applicant is prepared to pay the occupancy price, value of the trees & to abide by the conditions of grant. It may be seen that the Dy Forest Officer & the Conservator of Forests have no objection (pp 117 & 119). It is only recently on 27-3-59 that the Dy Forest Officer states that the lands may not be granted. Submd. for orders.

(x p. 217/Records)

We may perhaps consult the A&F dept in the first instance.

16/5/59

3

16/5/59

DEPUTY SECRETARY TO GOVT. No 8653 18 MAY 1959 REVENUE DEPARTMENT

18/2/59

16/5

4

A & F Dept

16/5

Secy.

V.C.

4/19/5

MYSORE GOVERNMENT SECRETARIAT No. 4856 20 MAY 1959 FOREST BRANCH

WD 04700—GPB—PZS—8,00,000—1958

Serial No.

APD 259 FGL 59 (RD 123 LBH 59)

5. The CCF seems to have not been consulted in the matter. We may therefore call for his remarks on the letter of the Dl. Comr., Belgaum.

6 The draft put up may issue now.

Sus 10/6

25/5/59. 10/1

SMG 7/6.

7 please see) no. 7614 at p. 5/ep. This may be filed for the present as report ~~was~~ called for awaited

8 The CCF will be reminded & the expeditor (fair) put up ~~at p.~~ may issue. (p5/c)

21/10.

Sus 27/10.

22x 27

D.S.

Issued 26/10

SMG 27/10

Sus 19/11

9 please see the report of the CCF. (D. 11766) dt 12/12/59 11/c

10 It may be seen from the report that the CCF 11/c and the D.F.O. 15/c Belgaum strike a strong note of dissention particularly

the latter, the C.F. Belgaum recommends the grant on the conditions stated at Page 14/c as against his own earlier recommendation (criterion) for rejection at p.17/c.

11) Submitted for orders.

18/10

12) The R.D has called for remarks of the A & F.D. on the recommendation of the Div Commissioner Belgaum Division for the grant of 25 acres of land out of Forest S.No. 667/1 of Satti a village in Athani taluka of Belgaum District, as proposed by the Dy Comm Belgaum in his letter of 4.9.57 (Slip B.) in exchange for S.No. 202/B of Hommardi Village in Haveri Taluka, to the Kabjedars of the latter S.No. The remarks of the C.C.F. were called for on the recommendation the Div Comm. (Slip A.)

13 The Conservator of Forests Belgaum Circle has no objection to accept the recommendation of the Div Comm (p13/c) while the C.C.F. does not agree with the Conservator but upholds the views of the DFO which are on page 15/c. The objections of the Forest Department have been answered in the report of the Div Commissioner (Slip A) and for the reasons mentioned therein there seems no objection to accept the recommendation of the Div Commissioner. As contained in his letter of 7.5.59 (Slip A)

Mysore Government Secretariat

File No. APD 259 Fl of 1959. [App. F. III 2

Serial No.

14 Orders of the Govt are now solicited on
(a) whether the recommendation of the Divisional Council be accepted (Slip A).
or (b) whether the opinion of the C.C.F. be upheld (p11/c)

S.P.
4.1.60

15) From para 12 please.
Two objections have been raised by C.C.F. against acceptance of the proposal, a) that a considerable sum of money has been spent on anti erosion measures and afforestation measures and (b) the applicant is an undesirable person. As regards the first objection 8 of L.A. of Slip 'A' reverse may kindly be seen. We may accept the recommendation of DC Belgaum on the assurance that a) The amt expended by the Forest Dept. be recovered & DC. Belgaum undertakes to guarantee that the applicant is not an undesirable and b) that the villagers of Sathi do not raise any objections to the grant on the score that the area is reserved for grazing.

'L' and anti erosion measures fully carried out as programmed

A

16 Seen by AH F Dept.

17 Minister (Forests & Agriculture)

A 27/1.

Note:—Contn. Sheet

AGRICULTURE & FOREST SECRETARY No. 27 JAN 1960 GOVERNMENT OF MYSORE
AGRICULTURE & FOREST SECRETARY No. 336 16 JAN 1960 GOVERNMENT OF MYSORE
THE MINISTER FOR FOREST & TRANSPORT No. A 171 25 JAN 1960 OFFICE

File No. AFD 259 FGL 59 of 195

Mysore Government Secretariat

Serial No.

18) The file may now be returned to RD opr to their note at para 3 & 4 of the note.

28/1/60.

R.D.

1.2.60

5/2

155

19 This is a case of grant of land in lieu of lands acquired this may be referred to L.A. Section in 'H' Br.

6/2/60

MYSORE GOVERNMENT SE No. 1610 6 FEB 1960 REVENUE BRANCH.

This has to be dealt with in Rev Br

6/2/60

(With ref: paras 3 & 4)

20 Pl see paras 15 & 16 for the remarks of A & TD who have put in several conditions for grant of land to Sri. L.R. Kolekar in Sy: No. 667/1 in lieu of his lands lost in Hosmardi for which he has taken up partial compensation only.

Before any decision is taken up for grant of land the Dl: Commr: Belgaum

Mysore Government Secretariat

File No. 259 per 8 RD 123 LBM of 1959. [App. F. III 2

Serial No.

may be consulted if the petitioner is agreeable for the stipulations laid down by ADTD.

Draft for approval.

9/2

22 Issue of letter along with records

11/2/60

L. No. RB/CA2. SR III. 204, D/30-3-60 from the Dl: Commr: Belgaum Dim.

23 The Dl: Commr: Belgaum (PUD) has forwarded a copy of report (P-63) from the D.C. Belgaum as also a copy of statement (P-64) from Sri. L.R. Kadekar in respect of the points referred to by the ADTD in para-15.

24 Now that the party has agreed for the conditions of ADTD, the proposal to grant land in forest Sy. No. 667/1 of Sotti village in Athni Tq - Belgaum Dist, an extent of 25 acres in lieu of lands in Sy. No. 202/B of Hombardi, may perhaps be approved in consultation with ADTD.

12/4/60

12/4

Note.—Contn. Sheet

9

Mysore Government Secretariat

File No. AFD 259 FGL of 1959.

	Serial No.
This is a proposal for the dis-forestment of 25-00 acres in F.S. No 667/1 of Salli village in Athani Taluka in lieu of of an equal area in ~~F.S. No.~~ S No. 202B of Hosanardi village in Haveri Taluka in Dharwar District, under land acquisition to Sri. Kolekar, Subject to conditions laid down by forest department vide para 15 ante. The petitioner also accepts to abide by them.	25
The D.C and the Dl. Conr., Belgaum, recommend its grant while the CCF is not in favour. Govt have also accepted to its grant subject to the conditions stated above. Please see paras 15 to 17 above.	26
In the circumstances RD's recommendation may be agreed to and if approved RD ~~Sett~~ ~~as~~ may accordingly be informed	27
28) We may agree, subject 5 'A' in para 15.	

Asst. 22/4/60.

29

25/4 Secy A&FD 30/4

29.4.60.

R. S. N. MURTHY,
Dy. Secy. Agri & Forest Dept.

RD

MYSORE GOVERNMENT No. 5200 3 MAY 1960 REVENUE BRANCH

AGRICULTURE BRANCH No. 3309 30 APR 1960 GOVERNMENT

MYSORE GOVERNMENT No. 1120 2 MAY 1960 REVENUE

D 04700—GPB—PZS—8.00.000—1958

Mysore Government Secretariat

259 FGL
RD File No. 123 LBM of 1959.

[App. F. III 2

Serial No.

30 Pl see para-15/A and 22 and 28 of notes. R.D. can take action only if Forest Sy. No. 67/1 of Satti Village is placed under the disposal of this Dept. A&FD may pl obtain approval of Govt. and issue a G.O. from their end. This may be returned to A&FD.

3/5/60
4/5/60.

A&F.D)

4/5

DEPUTY SECRETARY TO GOVT. No. 7321 4 MAY 1960 REVENUE DEPARTMENT

4/5

31 The draft G.O. & G/L at pages 65 & 67/c may issue now. Please see paras 15, 26 and 28 ante.

6/5/60. Minister (F) has seen at para 17 of the note. The
6/5/60 Dpt C.O. is for approval. Subject, of course, to my remarks on the C.O. I have suggested that the clause '3' of the conditions on page 2 may perhaps better go to D.C. Belgaum in a separate communication with copy to DFO and Divl Comm. Belgaum

THE MINISTER FOR FOREST & TOURIST No. P-161 10 MAY 1960

AGRICULTURE & FOREST SECRETARY GOVERNMENT OF MYSORE No. 3543 6 MAY 1960

No. 3543

Secretary A&FD) endorse

Note. Sonin. Sheet.

6/5

K. S. N. MURTHY,
Dy. Secy. Agri & Forest Dept.

12/5 M (F & Tr) 10/5 9/5

File No. DFD 259 PGL 59 of 195 .

Mysore Government Secretariat

Serial No.

Pl. issue and put up Dft letter to D.C. with copies to Divcom. CCF and DFO

12/5

Dft letter put up at p. 69/c will be issued simultaneously along with the other dfts at p. 65/c & 69/c

12/5/60.

13/5

13/5/60

B

18/5/60.

The case papers which were left behind may be sent to the D.C. Belgaum. Dft & fair put up may kindly be approved.

18/5/60.

18/v.

B

19/5

20/5

M. G. S. App. F VI—G. 2]

12 1

SUBJECT Land Acquisition :— Dharwar
Grant of land out of T.S. No. 667/1 of Sadi village in Ankali Taluka in exchange of S.No. 212/B of Hanumandi village in Haveri Taluk

Diary No. of letter replied to.....

Mysore Government Secretariat

( )

the 195 .

Date of issue.....195 .

Signed by.....

Issued with enclosures
4/6/59

May this be—
(i) printed?
(ii) treated as a Standing Order?
(iii) published in the Gazette, English Part?
(iv) translated?
(v) placed at the disposal of the Press?
(vi) published in the Gazette, Kannada Part?

Section

Serial No.

File No. AFD 257 GLA 59

~~Proceedings of the Government of Mysore~~ dt 4-6-59

To

~~Read~~ The CCF & Conr

Sir,

I am directed to forward herewith a copy of letter no. RB/LAQ:SR III. 204 dt. 7-5-59 ~~Order thereon.—No.~~ of the Dl. Comr Belgaum along with two Govt orders ~~Gos~~ no. RD 104 LGS 58 dt 7-1-59 & 12-2-59 ~~for~~ and to request you to offer your remarks thereon immediately.

The GOs referred to should be returned along with your reply of 7 SMC

26/5/59

DS AG 26

AFD 7614/59

13/3

1) Subject:- Land Grant at Salli (out of Salli S.No. 667) Taluka Athani, Belgaum Dist.

2) D 7614 dt 11-4-59 for perusal.

3) R D may kindly be requested to indicate the no. and date under which the papers referred to at 'A' (P.1/4) were sent to this Department.

11/8.

12-8-59

R.D)

SAH 12/8

ND 20/8

KS 20/8

MYSORE GOVERNMENT SECRETARIAT
N 11741
21 AUG 1959
REVENUE BRANCH.

The memo file RD 123 LA 59 has been sent to D G A Dpt 21/8/59 hence same may be accordingly marked

10/10

to A & F Dept.

10/10 KS

19/10/59

A and FD) 12/10/10

19/x

D.O.

14 5

Satti, Tal-Athani,- 6th August 1959.
Dist. Belgaum.

MYSORE GOVERNMENT SECRETARIAT
NO. 2614
11 AUG 1959
FOREST BRANCH

To.

The Under Secretary to the Government of Mysore,
Forest Department, Bangalore.

AGRICULTURE & FOREST DEPARTMENT
No. 8
TAPPAL SECTION

Subject:- Land Grant at Satti, (out of Satti S.NO. 667.)
Taluka -Athani, Dist. Belgaum.

Sir,

I beg to state that I had been to Bangalore on 29-6-1959 and paid respects to the Under Secretary to the Revenue Department and enquired about the grant of land mentioned above, Since the papers were submitted to the Government for approval of the grant, by the Divisional Commissioner of Belgaum on or about the 8th of May 1959. The Under Secretary R.D. was pleased to inform me that the papers were sent to Forest Department on 18/6/1959. So, I approached your honour to pass grant order as early as possible, on the same day i.e. 29/6/1959. You were kind enough to inform me that the matter would be expedi--ted early.

On 30/7/1959, I had been to Belgaum and on enquiry, I learnt that the papers were not yet received from the Government.

As the season of sowing Jawar and other crops is fast approaching, I request your honour to kindly order the grant of land as early as possible, and oblige.

Yours faithfully.

(L.R.Kolekar)
Rtd. D.S.P. Old-Hubli, Hubli.
Camp-Satti.

10/8/59

D.O.

15 7

Satti, Tal-Athani-
Dist, Belaum.

6th August 1959.

To.

The Under Secretary to the Government of Mysore,
Revenue Department, Bangalore.

MYSORE GOVERNMENT SECRETARIAT
No. 4868
11 AUG 1959
REVENUE DEPARTMENT

Subject:- Land Grant at Satti (out of S.NO.667), Taluka -Athani, Dist. Belgaum.

Sir,

I beg to state that I had been to Bangalore and seen you on 29/6/1959 in connection with the grant of land mentioned above ,since the papers were submitted to the Govt. for approval of the grant by the Divisional Commissioner of Belgaum on or about the 8th of May 1959. You were pleased to inform me that the papers were sent to the Forest Dept.on 18/6/1959 for further action concerned to F.D. I then paid respects to the Under Secretary to F.D. who was pleased to tell me that the matter would be expedited. So, I returned.

On 30/7/1959, I had been to Belgaum; ~~on 30/7/1959~~ & On enquiry ,I learnt that the papers were not yet received from the Government.

As the season of sowing Jawari is fast approaching I request your honour to kindly order the grant of land as early as possible and oblige.

Yours faithfully.

(L.R.Kolekar).
Rtd. D. S. P. Old-Hubli, Hubli.
camp-Satti.

11317
12 AUG 1959

C. F. No. 45]

GOVERNMENT OF MYSORE

16 9

No. ~~B3-277~~-1502/59
Encls

OFFICE OF

Chief Conservator of Forests
Bangalore-6

Date 5-11-1959

To

~~The Secretary to Government,~~
Agriculture and Forest Department,
~~Bangalore.~~

Sir

Sub:-Land Acquisition- Dharwar - grant of land out of of F.S.No.667/1 of Satti village in Athani Taluka in exchange of S.No.202/B of Honnardi village in Haveri Taluk.

Ref:-Your reminder No.AFD 259 FGL 59 dated 26th October 1959.

The report called for from the Conservator of Forests, Belgaum Circle is still awaited. He has been reminded telegraphically. I shall send my final reply to Government as soon as his report is received in this office.

Yours faithfully,

(K.KADAMBI)
Chief Conservator of Forests.

AS/28/10

This is an interim reply. Final reply may therefore be awaited & the proc for the present may be filed.

12/11

SPM 17/11

So 16.11.59

MYSORE GOVERNMENT SECRETARIAT
NO. 10446
259 FGL 59

17 11

CHIEF CONSERVATOR'S OFFICE,

No.B3.277-1502/59

Bangalore, dated 8 December 1959.

To

The Secretary to Government,
Agriculture and Forest Department,
Bangalore.

MYSORE GOVERNMENT SECRETARIAT
NO. 11766
12 DEC 1959
259 FGL 59
FOREST BRANCH

E/Six. Seven sheets.

AGRICULTURE & FOREST DEPARTMENT
No. 63
TAPAL SECTION
11
M G S

Sir,

Sub:- Land Acquisition Dharwar - Grant of land out of F.S.No. 667/1 of Satti Village in Athani Taluka in exchange of S.No. 202/B2 Hommeradi-village in Haveri Taluk.

.....

Ref:- Your letter No. AFD 259 FGL 59 dated 4.6.1959.

I enclose copies of letters No. 22/77/2468 dated 30-10-59 and No. 22/77/2485 dated 3-11-59 received from the Conservator of Forests, Belgaum Circle, for kind perusal. From the Conservator of Forests' reports it is seen that considerable amount has already been spent on anti-erosion measures and afforestation works in the area as per the scheme sanctioned by Government and further it is seen that the applicant is an undesirable person ~~and~~ causing obstruction to the smooth running of the departmental works in the area. In the circumstances, it would not be advisable to grant the area in question to the applicant.

The enclosures received with your letter under reference are retransmitted.

Yours faithfully,

Chief Conservator of Forests.

18 13

Letter

Subject:-Land Acquisition. Dharwar. Grant of land out of F.Sy.No. 667/1 of Satti village in Athani taluka in exchange of Sy.No.202B of Hommardi village in Haveri taluka.

No.22/77/ 2485 of 1959-60.
Belgaum, 2nd November, 1959.

To

The Chief Conservator of Forests
in Mysore, Bangalore.

In continuation of this office No.22/77/2468 dated 30-10-1959 and on further examination of the case, I write to state as under.

2. The Divisional Forest Officer, Belgaum in his No.C/11/FYP/928 dated 24-10-1959 (copy enclosed) has objected the grant of the area to Shri.Kolekar on the following grounds:-

(i) This is the only area which grows fodder and the villagers object to the grant of the area to the applicant since the grant would affect the grazing position.

(ii) This Department has taken the area along with the remaining area of 75 acres and 5 gunthas of the Survey No. under the afforestation scheme by incurring heavy expenditure.

(iii) The applicant is not a good neighbour and the afforestation work in the entire area will be a failure.

3. In this connection, from the letter No.RB/LAQSR III 204 of 7-5-1959 from the Divisional Commissioner, Belgaum to the Secretary to Government, Revenue Department - copy received under your No.B3-G-7447/59 of 12-6-1959 it can be seen that:-

(i) the Deputy Commissioner who personally inspected the site has reported that the objection of the villagers is not tenable since the Forest Department is not allowing any grazing in the land.

(ii) the Divisional Commissioner, Belgaum has proposed to recover from the applicant the amount, if any, spent by the Forest Department on afforestation in the area of 25 acres applied for by the applicant.

As regards applicant being a bad neighbour, he can be dealt with under the law for unauthorised actions, if any, on his behalf.

4. In the circumstances and since the land was already recommended for grant by this office in the past, I see no objection to grant it subject to the following

(P.T.O)

conditions:-

(i) the applicant should carry out anti-erosion work in the area at his cost before starting cultivation.

(ii) he should help this Department to protect the trees planted by this Department in the neighbouring area taken up under the afforestation scheme.

D. Nanjundappa
(D.Nanjundappa) 3/11
Conservator of Forests,
Belgaum Circle.

Copy to the Divisional Forest Officer, Belgaum, for information.

P.

Letter No.C/11/FYP/928 dated 24th October, 1959 from the Divisional Forest Officer, Belgaum to the Conservator of Forests, Belgaum Circle, Belgaum.

.....

Subject:-Land acquisition - Dharwar. Grant of land out of F.S.No.667/1 of Satti village in Athani Taluka in exchange of S.No.202/B of Hommardi village in Haveri taluka.

Ref:-Your No.22/77/4166 dated 24-6-1959.

It is admitted that originally the Divisional Forest Officer, Belgaum through his No.G/11/413 dated 6th June, 1957 had agreed to the grant of 25 acres of land from Sy.No.667/1 of Satti village to Shri.Kolekar provided he was willing to carry out the anti-erosion works as per the instructions of the Forest Department. This Department on the date of this report had not yet started works as per the scheme sanctioned under the I[1] Five Year Plan and hence could not visualise the disadvantages of granting this land to a private individual.

2. However, as per the scheme sanctioned under G.O.No. AFD-65-AFT-58 dated 31-7-1958, considerable amount has been spent on anti-erosion measures and afforestation works on the entire area of 100 acres which, I believe, would not have been possible for a private individual.

3. This is the only area which also grows fodder for the cattle of Satti and though the area is not thrown open for grazing the grass is allowed to be cut and removed and hence I feel that any more area out of this 100 acres if granted for cultivation to any private individual will considerably reduce the production and availability of fodder for the cattle. In this connection I have to state that the villagers of Satti have raised objection to the proposed grant to Shri.Kolekar as their cattle would suffer for want of grass land.

4. Previously Shri.Kolekar has been granted 25 acres of land in this very Sy.No. and his cultivation lies adjacent to scheme area. Recently we have found that he is a very bad neighbour. He actually has encroached upon nearly 8 acres of Government land. He has let his cattle graze in the scheme area and damaged some plants. An offence case has been booked in this connection and enquiry is in progress. When his cattle was being driven by our Forest Guard for impounding, Shri.Kolekar's men obstructed him from doing his duty and beat him heavily. A Police complaint was lodged in this connection and enquiry is in progress.

5. A few days after this incidence Shri.Kolekar's men have man-handled the Government watchman on duty and threatened him with life. This fact has been also reported to the Police and is also under enquiry.

6. From the above paragraphs it is clear that it is not desirable to grant any more land to Shri.Kolekar who is increasingly becoming a nuisance to the smooth running of administration. I am afraid the plantation under afforestation work will be a failure if we grant any more land to him. I agree with the ~~xxxxx~~ villagers of Satti that the position of fodder supply to their cattle will be adversely affected.

7. I therefore strongly recommend that no more land should be granted to Shri.Kolekar.

8. The accompaniments received under your above quoted reference are returned herewith.

'COPY'

D. Mangundappa

Conservator of Forests, B.C.

2/11.

21 48 17

Below No.C/11/FYP/928 dated 24th October, 1959 from the Divisional Forest Officer, Belgaum.

.....

Subject:-Land acquisition - Dharwar. Grant of land out of F.S.No.667/1 of Satti village in Athani taluka in exchange of Sy.No.202/B of Hommardi village in Haveri taluka.

No.22/77/ 2468 of 1959-60.
Belgaum, 30 October, 1959.

Submitted to the Chief Conservator of Forests in Mysore, Bangalore with reference to his Nos.B3-G-7447/59 dated 12-6-1959 and B3-277-1502/59 dated 19-10-1959.

2. For the reasons reported by the Divisional Forest Officer and for the following reasons, the undersigned does not recommend the area for grant to the applicant:-

1) the applicant already holds 25 acres and 12 gunthas and it may not be reasonable to further grant him any more area.

ii) For his lands acquired in Hommardi village, it is presumed, he is paid compensation and so the area is not asked for presumably in lieu of the area acquired.

(P.T.O)

3. The accompaniments are retransmitted.

D. Nanjundappa
(D.Nanjundappa) 29/10
Conservator of Forests,
Belgaum Circle.

Copy to the Divisional Forest Officer, Belgaum, for information.

P.28/10.

Letter. Subject: Land acquisition - Dharwar. Grant of land out of F.S.No.667/1 of Satti village in Athani Taluka in exchange of S.No.202/B of Hemmardi village in Haveri Taluka.

No.C/11/FYP/ 928 of 1959-60.
Belgaum, 24 October, 1959.

To

The Conservator of Forests,
Belgaum Circle, Belgaum.

Ref: Your No.22/77/4166 dated 24.6.1959.

It is admitted that originally the Divisional Forest Officer, Belgaum through his No.C/11/413 dated 6.6.1957 had agreed to the grant of 25 acres of land from Sy.No. 657/1 of Satti village to Shri Kolekar provided he was willing to carry out the anti-erosion works as per the instructions of the Forest Department. This Department on the date of this report had not yet started works as per the scheme sanctioned under the II Five Year Plan and hence could not visualise the disadvantages of granting this land to a private individual.

2. However, as per the scheme sanctioned under G.O.No. AFD-66-AFT-58 dated 31.7.1958, considerable amount has been spent on anti-erosion measures and afforestation works on the entire area of 100 acres which, I believe, would not have been possible for a private individual.

3. This is the only area which also grows fodder for the cattle of Satti and though the area is not thrown open for grazing the grass is allowed to be cut and removed and hence I feel that any more area out of this 100 acres if granted for cultivation to any private individual will considerably reduce the production and availability of fodder for the cattle. In this connection I have to state that the villagers of Satti have raised objection to the proposed grant to Shri Kolekar as their cattle would suffer for want of grass land.

4. Previously Shri Kolekar has been granted 25 acres of land in this very S.No. and his cultivation lies adjacent to scheme area. Recently we have found that he is a very bad neighbour. He actually has encroached upon nearly 8 acres of Government land. He has let his cattle graze in the scheme area and damaged some plants. An offence case has been booked in this connection and enquiry is in progress. When his cattle was being driven by our Forest Guard for impounding Shri Kolekar's men obstructed him from doing his duty and beat him heavily. A Police complaint was lodged in this connection and enquiry is in progress.

5. A few days after this incidence Shri Kolekar's men have man-handled the Government watchman on duty and threatened him with life. This fact has been also reported to the Police and is also under enquiry.

6. From the above paragraphs it is clear that it is not desirable to grant any more land to Shri Kolekar who is increasingly becoming a nuisance to the smooth running of

P.T.O.

of administration. I am afraid the plantation under afforestation work will be a failure if we grant any more land to him. I agree with the villagers of Satti that the position of fodder supply to their cattle will be adversely affected.

7. I therefore strongly recommend that no more land should be granted to Shri Kolekar.

8. The accompaniments received under your above quoted reference are returned herewith.

(R.R.Parvatikar)
Divisional Forest Officer,
Belgaum Division, Belgaum.

GKC. 22.10.

25 21

PROCEEDINGS OF THE GOVERNMENT OF MYSORE

Read:-

1. Notification No.RD 262 LGB 57, dated 20th January 1958 effecting certain amendments to rules 41 (a) to 43 C and adding fresh rules 43-D to 43-M of the rules under the Mysore Land Revenue Code.

2. Notification No.RD 188 LGY 57 dated 31st May, 1958 making certain additions to rules 43 F, 'G' and 'H' of the rules under the Mysore Land Revenue Code.

ORDER NO.RD 104 LGS 58

DATED, BANGALORE THE 7th JANUARY 1959.
Pushya 17 Saka Era 1880.

In the notification dated the 31st May, 1958 read above certain additions were made to the rules under the Mysore Land Revenue Code making provision for grant of lands to expropriated ryots on a preferential basis. There are no clear provisions regarding grant of lands to displaced tenants of lands acquired for public purposes and the practice in various areas is not also uniform. Government direct that the following principles be followed in all areas while granting lands in exchange for lands acquired for public purposes.

(1) The owner of the acquired land may be granted in exchange an extent equal to the land personally cultivated by him in the acquired land subject to the following limits:

(a) the extent of land granted shall not exceed the extent acquired

(b) the extent granted to insufficient holders shall be limited to the extent required to bring the total extent of their holding to five acres of wet or ten acres of dry land.

(c) Expropriated ryots who are sufficient holders may also be granted land provided that the total extent held by them including the land granted shall not exceed 20 acres of wet or 35 acres of dry land.

Explanation:-

'Sufficient holder' means a person who owns not less than 2 acres of garden land or land under major irrigation projects or 4 acres of seasonally irrigated land or wet land other than land under major irrigation projects or 10 acres of dry land.
'Insufficient holder' means a person who is not a 'Sufficient holder'.

(2) If the land so acquired was leased out to a tenant and the total extent of land held by the land-lord including the acquired land

p.t.o.

does not exceed 2 acres of irrigable land under major irrigation projects, or 4 acres of wet land or 10 acres of dry land, the owner may be granted lands equal in extent to the acquired lands. The tenant of such lands may also be given an extent equal to that cultivated by him on lease provided he does not own more than 2 acres of irrigable land under Major Irrigation Project or 4 acres of wet land or 10 acres of dry land.

One acre of garden land or land under major irrigation projects shall be deemed equal to two acres of seasonally irrigated land or wet land other than land under major irrigation projects, or to 5 acres of dry land.

(3) In all other cases of land acquired being cultivated by tenants, the owner may be given in exchange lands equivalent to half the extent acquired and the tenant granted lands equivalent to the other half subject to the limits indicated in para (1).

(4) The value of the land granted in exchange should not exceed the value of the land acquired. The value of the land granted in exchange should not be arbitrarily fixed but shall represent the actual market value of the land as nearly as it can be ascertained by local enquiries and by the examination of records of sales of similar lands in the neighbourhood and if necessary of the registration statistics relating to them.

(5) The scheme for grant of lands in exchange will apply to agricultural lands only and grant of exchange lands will be subject to availability of land.

Notifications will issue separately amending the Rules wherever necessary.

By order and in the name of the
Governor of Mysore,

M Venkatagiri Raju

(M. Venkatagiri Raju),
Under Secretary to Government,
Revenue Department.

To
All Divisional Commissioners.
All Deputy Commissioners.
Weekly Gazette.
Stock File.
S.G.F.

bcs.7/1. MGS/100 copies.

PROCEEDINGS OF THE GOVERNMENT OF MYSORE

R e a d:

(1)Government Order No.RD 104 LGS 58 dated the 7th January 1959 laying down the principles to be followed in all areas while granting lands in exchange for lands acquired for public purposes.

ORDER NO.RD 104 LGS 58

DATED, BANGALORE THE 12th FEBRUARY 1959.
Magha 23rd Saka Era 1880.

In the Government Order read above after item (1) 'c' and before the 'explanation' thereto add the following:-

" Provided further that land in excess of the aforesaid extents may be granted with the previous sanction of Government".

BY ORDER AND IN THE NAME OF THE
GOVERNOR OF MYSORE

(M. VENKATAGIRI RAJU)
UNDER SECRETARY TO GOVERNMENT
REVENUE DEPARTMENT.

To

All the Divisional Commissioners,
All the Deputy Commissioners,
Weekly Gazette,
Stock File,
S.G.F.

bcs.12/2. M.G.S./40 copies.

28 26

RD 123 LBM59

Sub:-As in PUD

To

The Divisional Commr:Belgaum Division.

With ref:to your L.NO.RB/LAQ.SRIII.204, D/7th May 59, on the above subject, I am directed to request you to furnish information on the following points:-

1. Whether Sri.L.R.Kolekar, the grantee is prepared to meet the expenditure that will be incurred by the A & F.D.on anti erosion measures when they are fully carried out as programmed?
2. Whether the D.C.Belgaum undertakes to guarantee that the grantee is not an un-desirable person?
3. whether the villagers of Satti do not raise any objections to the grant on the score that the area is reserved for grazing.

~~On receipt of a reply on the aforesaid further action will be taken.~~ The connected records accompany for reference & return

Y/F

U.S.

Copy to the A&FD,M.G.S.for information with ref:to File.no. AFD 259FGL59.

The D.C.Belgaum Dist, for information.

9/2/60

9/2/60

29/27

Subject:- Land Acquisit-ion: Dharwar
Grant of land out of Forest S.No.667/1 of Satti village in Athani taluka in exchange for S.No.202/B of Hommardi village in Haveri Taluka.

...

MYSORE GOVERNMENT SECRETARIAT
No. 1382
11 MAY 1959
REVENUE DEPARTMENT

No.RB/LAQ.SR.III.204
Belgaum, 7th May 1959.

To

The Secretary to Government,
Revenue Department,
Bangalore.

Sir,

In forwarding herewith the Deputy Commissioner, Belgaum's letter No.RB/LGR-3667 dated 4/9/1957, I have to state as under : -

The Deputy Commissioner has proposed to grant 25 acres of Land out of Forest S.No.667/1 of Satti village in Athani Taluka of Belgaum District to the Kabjedars of S.No. 202/B of Hommardi village in Haveri Taluka of Dharwar District, in exchange for an equal area of land under acquisition out of S.No.202B of Hommardi village. The value of the land proposed to be granted is estimated by the Tahsildar Athani at Rs 250/- per acre. There are 133 babul trees in the said area and their value is estimated at Rs399/-. The Deputy Commissioner has proposed to adjust the value of the land and the trees against the compensation amount payable to the Kabjedars of S.No.202/B for their land under acquisition. The compensation amount payable for the land measuring 25 acres under acquisition is estimated at Rs 34,500 including 15% solatium. The Kabjedars have already been paid Rs 23,000/- as 2/3rds of the compensation amount payable to them.

MYSORE GOVERNMENT SECRETARIAT
6710
11 MAY 1959

RD123LBM59

According to the provisions contained in clause (3) of section 31 of the L.A. Act, other lands can be granted in exchange for the lands acquired instead of awarding a money compensation. The Kabjedars of S.No.202/B of Hommard i come under the category of 'insufficient holders' as defined under Govt. order No.RD.104.LGS.58,dated 7/1/1959 and the

proposed

30

proposed extent of land can be granted to them under the said G.O. read with Govt. order R.D.No.RD.104 LGS. 58, dated 12/2/1959, with the previous sanction of Government.

From the correspondence enclosed it is seen that the villagers of Satti have raised objection to the proposed grant on the ground that the land is required by them for grazing their cattle. But, the Deputy Co-mmiss-ioner, Belgaum, who has personally inspected the site reports that the objection of the villagers is not tenable in view of the fact that the Forest Department is not allowing any grazing in the land.

The land has been included in the scheme of the anti-erosion measures and afforestation works to be undertaken by the Forest Department. The Divisional Forest Officer, Belgaum and the Conservator of Forests, Belgaum Circle had originally agreed to the grant of the Land under certain conditions which the applicant is willing to accept,. Now, the Divisional Forest Officer, Belgaum in his D.O. letter No.10878 dated 27/3/1959 addressed to the Deputy Commissioner, Belgaum has requested that the area may not be granted to the applicant as the Forest Department has taken up afforestation in the whole of the S.No.667/1 by incurring heavy expenditure. I do not think that there is any force and reasoning in the objection now raised by the Divisional Forest Officer especially when the applicant is willing to carry out the anti-erosion measures according to the instructions of the Forest Department(Vide his statement at page 115-116). If the forest Department has alread-y spent any amount over the works undertaken in the area, the same can be got recovered from him.

In the circumstances stated above, I ~~recommend~~ ~~the~~ recommend the proposal of the Deputy Commissioner, Belgaum and request you to move Government to accord

sanction ....

sanction to the disforestment and grant of the land in question.

The papers of the case in one file accompany.

Yours faithfully,

O.c.signed by
Commissioner.

(H.F. Imbrapur)
for Divisional Commissioner, Belgaum.

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.RD 123 LBM 59.

11th Feb. 60

The

Revenue Department,
BANGALORE.

The Divisional Commissioner,
Belgaum Division,
BELGAUM.

Sir,

Subject:- Land Acquisition Dharwar - Grant of land out of F.S.No.667/1 of Satti village in Athani taluka in exchange of S.No.202/B2 Hommeradi village in Haveri taluk.

With reference to your letter No.RB/LAQ.SR.III.204, dated 7th May, 1959 on the above subject, I am directed to request you to furnish information on the following points.

1. Whether Sri L.R.Kolekar, the grantee is prepared to meet the expenditure that will be incurred by the Agriculture and Forest Department on anti erosion measures when they are fully carried out as programmed?

2. Whether the Deputy Commissioner, Belgaum undertakes to guarantee that the grantee is not an un-desirable person?

3. Whether the villagers of Satti do not raise any objections to the grant on the score that the area is reserved for grazing.

The connected records accompany for reference and return.

Yours faithfully,

Sd/-
(M.VENKATAGIRI RAJU),
Under Secretary to Government,
Revenue Department.

AK*/11/2.

COPY to:-

The Deputy Commissioner, Belgaum District for information.

UNDER SECRETARY TO GOVERNMENT,
REVENUE DEPARTMENT.

34

Old-Hubli, Hubli- 14th March 1960.
Dist. Dharwar.

3382
17 MAR 1960
MYSORE GOVERNMENT SECRETARIAT
REVENUE BRANCH

To The Secretary to the Government of Mysore,
Revenue Department, Bangalore,
Bangalore.

MYSORE GOVERNMENT SECRETARIAT
No. 1176
16 MAR 1960
REVENUE DEPARTMENT

Subject:- Grant of Land (in exchange) out of S.NO.667, at Satti, Taluka-Athani, Dist.Belgaum.

Reference :- Your No. 123/L.M.B. 1959-60, & Belgaum Divisional Commissioner's NO. R.B.L.A.Q.S.R. III/204/1959-60

Sir,

With reference to the above, I beg to submit that I have agreed to the conditions imposed by the Dy.Commissioner of Belgaum and have given my application dated 2/3/1960, to that effect.

I therefore beg your kind honour to issue orders early for the grant of land (25 cares out of Satti S.NO.667) to enable me to get the land measured, the trees dug out and cut, to bring the land under cultivation by Tractor Ploughing, before the monsoon sets in, and take the crop of this year to prevent further loss to me.

Yours faithfully.

L.R.Kolekar

(L.R.Kolekar)
Rtd. D. S. P. Old-Hubli.
Holder of power of Attorny
for. 1. Murlidhar L.Kolekar
2. Madhukar L.Kolekar.
3. Prabhakar L.Kolekar.
Old-Hubli, Hubli.

35 62

Subject:- Land Acquisition: Dharwar
Grant of land out of F.S.No.667/1 of Satti village in Athani taluka in exchange for S.No.202/B of Hommardi village in Haveri Taluka.

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MYSORE GOVERNMENT SECRETARIAT
No. 4063
6 APR 1960
REVENUE BRANCH.

No.RB/LAQ.SR.III.204
Belgaum, 30th March 60.

To

The Secretary to Government,
Revenue Department,
Bangalore.

MYSORE GOVERNMENT SECRETARIAT
No. 7187
-4 APR 1960
REVENUE DEPARTMENT

Sir,

Reference your No.RD.123 LBM 59/W/R, dated 11-2-1960.

I enclose a copy of the Deputy Commissioner, Belgaum's letter No.RB/LGR 3667, dated 16-3-1960 which contains information on the points raised in your above reference. I have nothing more to add.

The papers of the case in one file accompany.

Yours faithfully,

(B.G. Kaujalgi)
for Divisional Commissioner,
Belgaum.

O.c.signed by
Commissioner.

s 30/3

36 63

Copy of Deputy Commissioner, Belgaum's letter No.RB/LGR 3667, dated 16th March, 1960, addressed to the Divisional Commissioner, Belgaum.

--v--

Subject:- Grant of land out of S.No.667/1 of Satti taluka Athani to Shri.L.R. Kolekar in exchange of S.No.202/B2 of Hommardi village in Haveri taluka.

Reference your No.RB/LAQSR.III.204, dated 19-2-1960, the required information is furnished below :-

1) Shri. L.R. Kolekar has given in writing that he is prepared to pay the expenditure that has so far been incurred on the anti-erosion measures in the area of land proposed to be granted to him. His application dated 2-3-60 is enclosed herewith.

2) The grantee, Shri.L.R.Kolekar, is a retired Dist. Superintendent of Police with a good record of service. He is a recipient of the Kings Police Medal and the title of Rao Saheb. Moreover he is an Ex-President of the Hubli Borough Municipality. The grantee is, therefore, not an undesirable person.

3) It has already been reported in paragraph 2 of this office letter of even No.dated 2-3-59 that the land is not an assigned gairan and that the Forest department is not allowing any grazing in this land. As such the objections of the villagers which already exist are not tenable.

The papers in one file accompany.

37/64

Belgaum.
2- 3-1960.

To

The Deputy Commissioner,
Belgaum District.
Belgaum.

Subject:- Grant of land out of S.No. 667/1 of Satti, Taluka Athani.

Sir,

I beg to submit that I am prepared to meet the expenditure that has been incurred so far on anti-erosion measures in the area of 25 acres of land proposed to be granted to me.

2. I am willing and take gurantee to preserve 60 (sixty) trees along the boundary or bund in the land.

2/3/60

Yours faithfully,

L.R.Kolekar

(L.R.Kolekar).

1. Retired Dist. Supdt. of Police.
2. Receipant of Kings Police medal with allowance of Rs.25/- P.M.
3. Ex-President,Hubli Municipal Borough, Hubli.
4. Receipant of Title of Raosaheb in 1945.

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38 65

M. G. S. App. F VI—G. 2]

SUBJECT SANCTIONS: Grant of land out of Forest Survey No.667/1 of Satti village in Athani Taluka in exchange for S.No.202/B of Hommardi village in Haveri Taluka to Sri. L.R.Kolekar, Retd. ~~Retired~~ Dy.Suptd of Police, Old Hubli, Hubli.

Diary No. of letter replied to.....

Section

Serial No.

Mysore Government Secretariat

( )

the 195 .

File No. AFD 259 FGL 59.

dt 17-5-60

Proceedings of the Government of Mysore

Date of issue.....195 .

Signed by.....

Read— Letter No.RB/LAQ.SR.III.204 dt. 7-5-59 of the Divisional Commissioner, Belgaum, addressed to the REV.Secretary.

2) Letter No.RB/LGR.3667 dt.4-9-57 of the D.C.Belgaum, to the Div.Commr.Belgaum.

3) Letter No.B3.277-1502/59 dt.8/10-12-1959 from the CCF in Mysore, Bangalore.

Issued 17-5-60

May this be—
(i) printed?
(ii) treated as a Standing Order?
(iii) published in the Gazette, English Part?
(iv) translated?
(v) placed at the disposal of the Press?
(vi) published in the Gazette, Kannada Part?

ORDER:

The Deputy Commissioner has proposed to grant 25 acres of land out of F.S.No. 667/1 of Satti village in Athani Taluka of ~~Order thereon.—No.~~ Belgaum District to Sri. L.R.Kolekar of Hubli in lieu of area in S.No.202/B of Hommardi village in Haveri Taluka of Dharwar District. The ~~xxxx~~ value of the land proposed to be granted is estimated by the Tahsildar Athani at Rs.250/- per acre. ~~There~~ The Deputy Commissioner, further ~~proses~~ proposes to adjust the value of the land and the trees against the compensation amount, about 1/3rd still due to be paid to the applicant,etc.,

The Div.Commr.Belgaum, agrees with the ~~the~~ D.C.Belgaum to the grant of the said land.

The CCF in Mysore, Bangalore, who when consulted, ~~furni~~ has furnished his opinion in the matter.

In the circumstances stated above and after detail examination of the case of

the applicant, Government Directs that an area of 25 acres of land out of F.S.No.667/1 of Satti village in Athani Taluka of Belgaum District in lieu of an equal area of land under acquisition out of S.No.202B of Hommardi village, be disafforested and surrendered to the Rev.Department for being granted to the applicant Sri.L.R.Kolekar, Retired Deputy Superintedent of Police, Old Hubli, Hubli, subject to the conditions to be stipulated by the Revenue Department and the following;-

xxxx ~~xxxxxxxx~~

1. The applicant should carry out anti-erosion work in the area now ordered to be granted at his cost before starting cultivation;
2. ~~The amount spent on~~ afforestation measures by the Forest Department should be recovered from the applicant;
3. The D.C.Belgaum undertakes to guarantee that the applicant is not an undesirable one;
4. The villagers of Satti do not raise any objections to the grant on the score that this area is reserved for grazing;.
5. He should also help Forest Department to protect the trees planted by this Department in the neighbouring area taken up under the afforestation scheme.
6. Such other conditions as may be imposed by the Revenue authorities consistent with

The CCF in Mysore, Bangalore, is requested to hand over the area to ~~the REVENUE Department pending~~ publication of the ~~disafforestation~~ disforestment notification in the official gazette, which may be sent to Govt. immediately for action as stated above. He is requested to take action accordingly in the matter.

List of Enclosures.

By Order and in the Name of the Governor of Mysore,

6/4
DS. A&FD.

This may perhaps be communicated to the Belgaum D.C. and D.C. separately by letter
6/5

To

The CCF
The Div.Comr.Belgaum,
The D.C.Belgaum.
~~The D.C.Dharwar.~~
The R.D.
The W.G.

6/5/60.

Copied by

Examined by

40 61

GOVERNMENT OF MYSORE

No. AFD 259 FGL 59.

Mysore Government Secretariat,
Vidhana Soudha,
Dated, Bangalore, 17-5- 1960.

From

The Secretary to the Government of Mysore,
Agriculture & Forest Department.

To

Sri.L.R.Kolekar,
Retired Deputy Superintendent of Police,
Old Hubli, Hubli.

Sir,

Sub:- Grant of land in FS.No.667/1 of Satti village. for cultivation.

Ref:- Your petition ~~dated~~ addressed to the D.C.Belgaum ~~to Govt on the above mentioned subject~~

With reference to the above, I am directed to state that your request for grant ~~release~~ of land in F.S.No.667/1 of Satti village, for 25 acres, are being communicated to the D.C.Belgaum and ~~the~~ Dharwar ~~orders in respect of~~ ~~and the CCF in Mysore, Bangalore, who may be approached in the matter.~~ ~~for such action as they regard fit and report compliance with~~

Yours faithfully,

F.C. in signed issued 17-5-60

Deputy Secretary to Government,
Agriculture & Forest Department.

6/5.

Copy forwarded to the Chief Conservator of Forests in Mysore, Bangalore for information with reference to his letter No. B3.277-1502/59 dt.8/10-12-1959

2. The D.C.Belgaum, w/r.to his letter No.RB/LGR.3667 dt.4-9-57 addressed to the Div.Commr.Belgaum, for needful action in the matter.

3. The D.C Dharwar, for information.

DS.

6/5.

M.G.S.,M.S., 400.

Appendix F. G.—1]

SUBJECT as in p. 65/c

Diary No. of letter replied to

Mysore Government Secretariat.

( )

the 195 .

Date of issue

Signed by

Inward
17-5-60

List of enclosures

Copied by

Examined by

Confidential

Section

File No. AED 259 FGL 59

Serial No. dt 17-5-60

No.

To

The D.C. Belgaum.

Sir,

Please refer to your letter no. RB/LGR. 3667 dt 4-9-59 addressed to the Div. Comr., Belgaum, on the subject stated above.

I am directed to state that Govt have agreed to the grant of 25 acres of land in F.S. no. 267/1 of Sabli village in lieu of an equal area of ~~202~~ land in S. no. 202/B of Hosmandi as recommended by you, subject of course to certain conditions laid down in the Gov. of India no. dt 17th May, enclosed herewith.

In the Govt order referred to above, all the conditions except the following have been stipulated as Govt. found it expedient to do so.

"The D.C. Belgaum undertakes to guarantee that the applicant is not an undesirable one;"

The land therefore is granted on the conditions stipulated in the said Govt order in addition which it is subject to the condition mentioned above.

I am ~~therefore~~ in the circumstances to request you ~~kindly~~ to take action to execute the grant of the land ~~and deem~~ ~~is granted~~ subject to the conditions enumerated as above. This letter may be taken as annexure to the Govt order.

Yours faithfully

13/5

DS DCD

Copy to the CCF
The Div. Conr., Belgaum,
The DFO. Belgaum.
~~The D.C. Dharwad.~~

13/5

DC